

PATENT

Atty. Dkt. No. 300.0007 (ATT/2002-0415)

**REMARKS**

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. § 103. Thus, the Applicants believe that all of these claims are now in condition for allowance.

**I. REJECTION OF CLAIMS 1-20 UNDER 35 U.S.C. §103**

The Examiner has rejected claims 1-20 in the Office Action under 35 U.S.C. §103 as being unpatentable over O'Neill, et al. (US Patent Publication 2003/0046404, published on March 6, 2003, hereinafter referred to as "O'Neill") in view of Triano, et al. (U.S. Patent No. 7,149,299, issued on December 12, 2006, hereinafter referred to as "Triano"). The Applicants respectfully traverse the rejection.

O'Neill teaches processing network communication control messages. The method comprises identifying from a first identifier a second identifier having a format defined by a second communications protocol and re-formatting the control message for transmission in accordance with the second protocol to a network system associated with the second address identifier. (See O'Neill, Abstract.)

Triano teaches a system and method for call completion on busy subscribers. Triano teaches allowing the extension of the ISDN/GSM Call Completion to Busy Subscriber Supplementary Service across a Network Boundary between a Switched Circuit Network using ISUP as call control protocol and an IP Packet Network using SIP as session control protocol. (See Triano, Abstract.)

The Examiner's attention is directed to the fact that O'Neill and Triano, alone or in any permissible combination, fail to teach or to suggest a system, method or computer readable medium for graceful termination of support for session initiation protocol communications on a server comprising a client directly linked to a plurality of servers and causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client, as positively claimed by the Applicants' independent claims. Specifically, Applicants' independent claims 1, 8 and 15 recite:

PATENT

Atty. Dkt. No. 300.0007 (ATT/2002-0415)

1. A system for graceful termination of support for session initiation protocol communications on a server, comprising:
  - a server supporting communications with a client conforming to session initiation protocol, said client directly linked to a plurality of servers;
  - means for setting a time period for gracefully terminating support for session initiation protocol communications on said server;
  - means for sending a service unavailable message to said client, in response said client providing support for communications with a different server;
  - means for causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client; and
  - means for terminating support for session initiation protocol communications on said server no later than upon expiration of said time period for terminating support. (Emphasis added.)
8. A method for graceful termination of support for session initiation protocol communications on a server, comprising the steps of:
  - establishing communications between a server and a client conforming to session initiation protocol, said client directly linked to a plurality of servers;
  - setting a time period for gracefully terminating support for session initiation protocol communications on said server;
  - sending a service unavailable message to said client, in response said client providing support for communications with a different server;
  - causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client; and
  - terminating support for session initiation protocol communications on said server no later than upon expiration of said time period for terminating support. (Emphasis added.)
15. A computer-readable storage medium whose contents cause a computer system to perform steps of a graceful termination of support for session initiation protocol communications on a server, said steps comprising:
  - establishing communications between a server and a client conforming to session initiation protocol, said client directly linked to a plurality of servers;
  - setting a time period for gracefully terminating support for session initiation protocol communications on said server;
  - sending a service unavailable message to said client, in response said client providing support for communications with a different server;
  - causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client; and

PATENT

Atty. Dkt. No. 300.0007 (ATT/2002-0415)

terminating support for session initiation protocol communications on said server no later than upon expiration of said time period for terminating support. (Emphasis added.)

In an exemplary embodiment, the Applicants' invention teaches a system, method or computer readable medium for graceful termination of support for session initiation protocol communications on a server comprising a client directly linked to a plurality of servers and causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client. Consequently, after a graceful termination of support for session initiation protocol communications on a server, a client may use alternate servers until the server is functional again. (See e.g., Applicants' specification, p. 13, II. 16-20; FIG. 1.)

The combination of O'Neill and Triano, alone or in any permissible combination fail to teach or to suggest a system, method or computer readable medium for graceful termination of support for session initiation protocol communications on a server comprising a client directly linked to a plurality of servers and causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client. First, the architecture of the Applicants' invention and O'Neill are completely different. Specifically, O'Neill teaches that a plurality of clients is linked to only a single server. (See O'Neill, FIG. 4.) Moreover, the server provides access to and from the respective domains. (See O'Neill, para. [0054].) Therefore, if the server were to fail or be taken down for service in O'Neill, the service to the clients would be greatly disrupted. In stark contrast, the Applicants' invention teaches that a client is directly linked to a plurality of servers. Consequently, when graceful termination of the server providing support to the client is designated for termination of support, service to the client in the Applicants' invention is not disrupted because the client may be supported by an alternate server.

Moreover, O'Neill fails to teach or suggest causing said server to maintain support, until no later than the expiration of said time period for terminating support, for

PATENT

Atty. Dkt. No. 300.0007 (ATT/2002-0415)

uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client. The Examiner concedes this point in the Office Action. (See Office Action, p. 4, ll. 10-17.) However, the Examiner alleges that Triano bridges the substantial gap left by O'Neill.

The Applicants respectfully submit that Triano fails to bridge the substantial gap left by O'Neill because Triano also fails to teach or to suggest a system, method or computer readable medium for graceful termination of support for session initiation protocol communications on a server comprising a client directly linked to a plurality of servers and causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client. Triano is silent as to teaching a client directly linked to a plurality of servers.

In addition Triano does not teach or suggest causing said server to maintain support, until no later than the expiration of said time period for terminating support, for uncompleted session initiation protocol invites accepted by said server before sending said service unavailable message to said client. It is noted that Triano teaches a method for attempting to connect a caller to a busy caller, i.e., when a call attempt is unsuccessful. (See Triano, col. 7, ll. 1-3, emphasis added.) In other words, there is no session initiation protocol support being provided. Therefore, no servers are maintaining support. Furthermore, all the timer mechanisms taught by Triano are not time periods for terminating support, as taught by the Applicants' invention. Rather, all the time periods taught by Triano relate to idling (T8) or giving up on trying to connect the call (T9). (See Triano, col. 8, ll. 61-64; col. 9, ll. 55-58.) Therefore, the combination of O'Neill and Triano does not teach or suggest Applicants' invention as recited in Applicants' independent claims 1, 8 and 15.

Furthermore, dependent claims 2-7, 9-14 and 16-20 depend from independent claims 1, 8 and 15, respectively, and recite additional limitations. For the same reasons discussed above, these dependent claims are also not made obvious in view of O'Neill and Triano and are allowable. As such, the Applicants respectfully request the rejection be withdrawn.

PATENT

Atty. Dkt. No. 300.0007 (ATT/2002-0415)

**CONCLUSION**

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

May 29, 2007

Kin-Wah Tong, Attorney  
Reg. No. 39,400  
(732) 530-9404

Patterson & Sheridan, LLP  
595 Shrewsbury Avenue  
Shrewsbury, New Jersey 07702